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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,871	08/01/2003	Naoshi Kobuya	SONYJP 3.0-319	4649
530 7590 10/28/2008 LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK 600 SOUTH AVENUE WEST WESTFIELD, NJ 07090			EXAMINER TO, TUAN C	
			ART UNIT 3663	PAPER NUMBER
			MAIL DATE 10/28/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/632,871	<b>Applicant(s)</b> KOBUYA ET AL.	
	<b>Examiner</b> TUAN C. TO	<b>Art Unit</b> 3663	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 2,3,8,9,11-13 and 26-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2,3,8,9,11-13 and 26-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08/1/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/24/08</u> .   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Claims 2, 3, 8, 9, 11-13, and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sagie (US 20020091793A1) and in view of DeLorme et al. (US 5948040A).

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Regarding claims 2, 8, and 11, the first reference to Sagie teaches a system/method for tourist guiding comprising: information acquisition means for acquiring information specifying a combination of the information from the plurality of information sources and the contents information; site information focusing means for narrowing down the site information using the acquired information; and guide contents generating means for generating the guide contents using the narrowed down site information (Sagie, paragraphs 0115, and 0129, soft buttons are used to acquire plurality of information and tourist guide contents; In paragraph 0136, the tourist can narrow down site by tap on a corresponding button). Sagie additionally teaches album creation means for generating an album page incorporating record information from said tour in response to a user request after the tour (see abstract, digital tour album captures times and places wherein the tourists has visited).

Claims 2, 8, 11, Sagie teaches the album creation means for generating an album page incorporating record information including memo information from a tour in response to a user request after the tour (paragraph 0152).

Second reference to DeLorme et al. directs to another content server which generates guide contents (Trip map data and other related trip information) in which the all trip function, data and services can be provided entirely online (DeLorme et al, column 14, lines 43-52). In DeLorme et al, specially in figure 1A, the visual display or CRT 115 is provided as well another output devices such as speakers, sound/voice 119 for generating guide contents on a plurality of image layers superimposed on each

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other, each image layer corresponding to an information source among the plurality of information sources (DeLorme et al, figure 1C; column 23, lines 30-44).

DeLorme et al. discloses the Travel Reservation Information Planning System (TRIPS) with which the TRIPS user can preview and customize the guide contents on the basis of user information entered by the user, wherein said information includes information created by the user and entered at least one of before and during the tour, and wherein the user created information is integrated into the guide contents (see column 9, lines 32-58).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system/method for guiding tourist as taught by Sagie to include the teachings as taught by DeLorme et al. as discussed herein above so that user can, with a mouse's click, quickly obtain a travel information or data related to a place or region or information about a specified location in that place or region.

As to claims 3, and 9, Sagie illustrates a digital navigation map (Sagie, figure 14) including site position information, and said map includes positional information on a map (Sagie, figure 14, red circle indicates where tourist is, green triangle indicates the next target). The digital navigation map as shown including the layout of the a region in which the position of tourist and the next target located.

As to claims 12 and 13, from the detail map as taught in DeLorme et al., the trip user can select an icon to retrieve information related. For example, the Jolly Ginger's information is shown in figure 1B-3.

As to claims 26-28, the system/method for tourist guiding in Sagie provided to navigate the tourist to and within tour sites using visual navigation method and detailed multimedia narrations on objects along the tour. The guide contents are outputted and ready for use by the tourist (Sagie, paragraph 0017). Therefore, the guide contents are inherently outputted based on an update date of the guide contents.

***Response to Applicant's Arguments***

The applicant currently amends to claims 2, 8, and 11 by adding the feature of "the user information entered by the user, wherein the user information includes information created by the user and entered at least one of before or during the tour, and wherein the user created information is integrated into the guide content". The applicant stated in his response, "the cited portion of DeLorme et al. nowhere appear to describe customizing guide contents by integrating into the guide contents "user created information" entered by the user, where the user created information can be entered by the user before or during a tour, as required by the present claims".

In contrast, the examiner has found DeLorme et al. discloses a Travel Reservation Information Planning System (TRIPS) with which the TRIPS user can preview and customize the guide contents on the basis of user information entered by the user, wherein said information includes information created by the user and entered at least one of before and during the tour, and wherein the user created information is integrated into the guide contents.

The applicant is invited to review the description of using the TRIPS in column 19, lines 32-58: "While previewing such restaurant information about places to eat "along the way" from home to the airport, in preparing the travel plan output.... Jolly Ginger's might have been selected while browsing for local restaurants that meet certain specified area". The TRIPS user can preview the guide content (e.g. guide to select Jolly Ginger's restaurant). Then the TRIP user further customize the guide contents (e.g, dinner reservation) to fit the dinner reservation into his or her itinerary for the drive to catch his or her schedule flight. It is noted that the basic user information (e.g. date and time) entered by the user can be created and entered by the user before the tour to the selected restaurant. And that the user created information (e.g. data and time) is integrated into the guide contents while making reservation.

Hence it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system/method for guiding tourist as taught by Sagie to include the include the teachings as taught by DeLorme et al. as discussed herein above so that user can, with a mouse's click, quickly obtain a travel information or data related to a place or region or information about a specified location in that place or region.

### ***Conclusions***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan C To whose telephone number is (571) 272-6985. The examiner can normally be reached on from 8:00AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on 571-272-6878.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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/Tuan C To/

Primary Examiner of Art Unit 3663/3600

October 16, 2008